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December 4, 2001

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

FROM: Paul B. Baker, Sr. Specialist Reclamation/Biologist *PAB*

RE: Permit Renewal Application, Canyon Fuel Company, LLC, Soldier Canyon Mine, C/007/018-RN01

SUMMARY:

Canyon Fuel has submitted information to renew its permit. Included is updated violation information, a proposed newspaper advertisement, and bonding and insurance information. The insurance information originally submitted was unclear, but the applicant has supplied a new insurance form clarifying that they have adequate insurance. The application is considered complete.

TECHNICAL ANALYSIS:

CHANGE RENEWAL AND TRANSFER OF PERMIT RIGHTS

PERMIT RENEWAL APPLICATION REQUIREMENTS

Regulatory Reference: R645-303-230, et seq.

Analysis:

Bonding and Insurance Information

The applicant submitted copies of Exhibit B from the reclamation agreement. The agreement is signed by Janice H. Fennell of St. Paul Fire and Marine Insurance Company, and an affidavit of qualification indicates she is the attorney-in-fact of this company. The original

TECHNICAL MEMO

signed copy of the reclamation agreement in the Division's files contains a seal from the St. Paul Fire and Marine Insurance Company. Exhibit A of the reclamation agreement in the Division's file contains the signature of Tina Marie Foster who is identified on a power of attorney notice as an attorney-in-fact for the St. Paul Fire and Marine Insurance Company.

The certificate of insurance originally included with the renewal application listed the limit of general aggregate coverage as \$5,000 with an asterisked note that \$500,000 general aggregate applies; however, the applicant subsequently submitted a revised form showing the limit of general aggregate coverage as \$500,000. This complies with regulatory requirements.

Public Notice

The proposed newspaper advertisement contains all the information required in R645-300-121. The legal description was checked against maps in the mining and reclamation plan, and it is accurate.

Identification of Interests and Violation Information

The applicant has included updated violation information that can be inserted into the mining and reclamation plan. No new ownership or control information is included.

Findings:

Information provided in the application is adequate to meet the requirements of this section of the regulations.

RECOMMENDATIONS:

The applicant has submitted the required information and should publish public notice that it is seeking renewal of its permit.